PTO/SB/08A (10-01)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet | | of | 14

Complete if Known	
Application Number	10/038,271
Filing Date	October 23, 2001
First Named Inventor	Fallaux et al.
Group Art Unit	~~1632~~ 1633
Examiner Name	D. Nguyen
Attorney Docket Number	2578-3833.6US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Document Number: Number - Kind Code[2] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
SDP		4,487,829	12/11/84	Sharp et al.	
		4,517,686	05/21/85	Ruoslahti et al.	
		4,578,079	03/25/86	Ruoslahti et al.	
		4,589,881	05/20/86	Pierschbacher et al.	
		4,593,002	06/03/86	Dulbecco	
		4,792,525	12/20/88	Ruoslahti et al.	
		4,797,368	01/10/89	Carter et al.	
		4,956,281	09/11/90	Wallner et al.	
		5,024,939	06/18/91	Gorman	
		5,096,815	03/17/92	Ladner et al.	
		5,166,320	11/24/92	Wu et al.	
		5,198,346	03/30/93	Ladner et al.	
		5,204,445	04/20/93	Plow et al.	
		5,223,394	06/29/93	Wallner	
		5,223,409	06/29/93	Ladner et al.	
		5,240,846	08/31/93	Collins et al.	
		5,246,921	09/21/93	Reddy et al.	
		5,332,567	07/26/94	Goldenberg	
		5,349,053	09/20/94	Landolfi	
		5,403,484	04/04/95	Ladner et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3] - Number[4] - Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
		~~EP 259212~~	~~08/11/87~~	~~Transgene S.A.~~		no translation
SDP	✓	WO 91/00360	01/10/91	Medarex, Inc.		
	✓	WO 91/05871	05/02/91	Medarex, Inc.		
	✓	WO 91/05805	05/02/91	Trustees of Dartmouth College		
	✓	WO 92/02553	02/20/92	Delta Bi-Otechnology Limited		
	✓	WO 92/13081	08/06/92	British Technology Group PLC		

Examiner Signature	Scott D. Priebe	Date Considered	10/11/05

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Sheet 2 of 14

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Application Number	10/038,271
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First Named Inventor	Fallaux et al.
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SDP		5,436,146	07/25/95	Shenk et al.	
		5,443,953	08/22/95	Hansen et al.	
		5,474,935	12/12/95	Chatterjee et al.	
		5,521,291	05/28/96	Curiel et al.	
		5,534,423	07/09/96	Plasson et al.	
		5,543,328	08/06/96	Mcclelland et al.	
		5,547,932	08/20/96	Curiel et al.	
		5,552,311	09/03/96	Sorscher et al.	
		5,559,099	09/24/96	Wickham et al.	
		5,571,698	11/05/96	Ladner et al.	
		5,622,699	04/22/97	Ruoslahti et al.	
		5,712,136	01/27/98	Wickham et al.	
		5,731,190	03/24/98	Wickham et al.	
		5,756,086	05/26/98	Mcclelland et al.	
		5,770,442	06/23/98	Wickham et al.	
		5,846,782	12/08/98	Wickham et al.	
		5,849,561	12/15/98	Falck-Pedersen	
		5,856,152	01/05/99	Wilson et al.	
		5,871,727	02/16/99	Curiel	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3] - Number[4] - Kind Code[5] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
SDP	✓	WO 93/03769	03/04/93	U.S. Dept. of Health and Human Services		
	✓	WO 93/06223	04/01/93	Centre National De La Recherche Scientifique		Abst. only
	✓	WO 93/07282	04/15/93	Boehringer Ingelheim International GMBA		Abst. only
	✓	WO 93/07283	04/15/93	Boehringer Ingelheim International GMBA		Abst. only
	✓	WO 94/10323	05/11/94	Imperial Cancer Research Technology Limited		

Examiner Signature	Scott D. Priebe	Date Considered	10/11/05

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Sheet 3 of 14

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Application Number	10/038,271
Filing Date	October 23, 2001
First Named Inventor	Fallaux et al.
Group Art Unit	~~1632~~ 1633
Examiner Name	D. Nguyen
Attorney Docket Number	2578-3833.6US

U.S. PATENT DOCUMENTS

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SDP		5,871,982	02/16/99	Wilson et al.	
		5,877,011	03/02/99	Armentano et al.	
		5,922,315	07/13/99	Roy	
		6,057,155	05/02/00	Wickham et al.	
		6,100,086	08/08/00	Kaplan et al.	
		6,127,525	10/03/00	Crystal et al.	
		6,287,857	09/11/01	O'riordan et al.	
		6,486,133	11/26/02	Herlyn et al.	
		6,492,169	12/10/02	Vogels et al.	
		6,669,942	12/30/03	Perricaudet et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3] - Number[4] - Kind Code[5] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
SDP	✓	WO 94/15644	07/21/94	Imperial Cancer Research Technology Limited		
	✓	WO 94/17832	08/18/94	The Scripps Research Institute		
	✓	WO 94/24299	10/27/94	Boehringer Ingelheim International GMBA		Abstr. only
	✓	WO 94/26915	11/24/94	The Regents of the University of Michigan		
	✓	WO 95/05201	02/23/95	Genetic Therapy, Inc.		

Examiner Signature	Scott D. Priebe	Date Considered	10/11/05

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 14

Complete if Known	
Application Number	10/038,271
Filing Date	October 23, 2001
First Named Inventor	Fallaux et al.
Group Art Unit	~~1632~~ 1633
Examiner Name	D. Nguyen
Attorney Docket Number	2578-3833.6US

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[3] - Number[4] - Kind Code[5] (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
SDP	✓	WO 95/06745	03/09/95	Max-Planck-Gesellschaft Zur Förderung Der Wissenschaften E.U.		Abstract only
	✓	WO 95/14785	06/01/95	Rhone-Poulenc Rorer S.A.		Abstr. only
	✓	WO 95/16037	06/15/95	Menarini Ricerche Sud S.p.A.		
	✓	WO 95/21259	08/10/95	U.S. Dept. of Health and Human Services		
	✓	WO 95/26412	10/05/95	The UAB Research Foundation		
	✓	WO 95/31187	11/23/95	McMaster University		
	✓	WO 95/31566	11/23/95	Viagene, Incorporated		
	✓	WO 96/00326	01/04/96	Reinert, Gary, L., Sr.		
	✓	WO 96/00790	01/11/96	Rhone-Poulenc Rorer S.A.		Abst. only
	✓	WO 96/07739	03/14/96	Neurocrine Biosciences, Incorporated		
	✓	WO 96/10087	04/04/96	Rhone-Poulenc Rorer S.A.		Abst. only
	✓	WO 96/12030	04/25/96	Rhone-Poulenc Rorer S.A.		Abst. only
	✓	WO 96/13598	05/09/96	The Trustees of the University of Pennsylvania		
	✓	WO 96/13597	05/09/96	The Trustees of the University of Pennsylvania		
	✓	WO 96/14837	05/23/96	Genetic Therapy, Inc.		
	✓	WO 96/17073	06/06/96	Takara Shuzo Co., LTD.		Abst. only
	✓	WO 96/ 18740	06/20/96	Rhone-Poulenc Rorer S.A.		Abst. only
	✓	WO 96/24453	08/15/96	Withers, Graham, Rex		
	✓	WO 96/26281	08/29/96	Genvec, Inc. Cornell Research Foundation, Inc.		
	✓	WO 96/35798	11/14/96	Introgene B.V.		
		WO 97/00326	01/03/97	Introgene B.V.		
	✓	WO 97/12986	04/10/97	Cornell Research Foundation, Inc.		
	✓	WO 97/20575	06/12/97	The University of Alabama at Birmingham Research Foundation		

Examiner Signature	Scott D. Priebe	Date Considered	10/11/05

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Sheet 5 of 14

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Application Number	10/038,271
Filing Date	October 23, 2001
First Named Inventor	Fallaux et al.
Group Art Unit	~~1632~~ 1633
Examiner Name	D. Nguyen
Attorney Docket Number	2578-3833.6US

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document: Country Code[2] - Number[4] - Kind Code[5] (*if known*)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
SDP	✓	WO 97/38723	10/23/97	Immusol Incorporated		
	✓	WO 98/07865	02/26/98	Genvec, Inc.		
	✓	WO 98/11221	03/19/98	Dana-Farber Cancer Institute		
	✓	WO 98/13499	04/02/98	The Scripps Research Institute		
	✓	WO 98/22609	05/28/98	Genzyme Corporation		
	✓	WO 98/ 32842	07/30/98	Genetic Therapy, Inc.		
	✓	WO 98/40509	09/17/98	Genvec, Inc.		
	✓	WO 98/49300	11/05/98	Collateral Theraputics		
	✓	WO 98/50053 A1	11/12/98	Genetic Therapy, Inc.		
	✓	EP 1016726	12/30/98	Introgene B.V.		
	✓	WO 99/32647	07/01/99	Introgene B.V.		
	✓	EP 1067188	07/08/99	Introgene B.V.		
	✓	WO 99/47180A1	09/23/99	Genzyme Corporation		
	✓	WO 99/55132	11/04/99	Introgene B.V.		
	✓	WO 99/58646	11/18/99	Genera S.P.A.		
	✓	EP 1020529	11/19/99	Introgene B.V.		
	✓	WO 00/03029	01/20/00	Introgene B.V.		
	✓	WO 00/24730 A2	05/04/00	The University of British Columbia		
	✓	WO 00/31285	06/02/00	Introgene B.V.		
	✓	WO 00/52186	09/08/00	Introgene B.V.		
	✓	WO 00/70071 A1	11/23/00	Introgene B.V.		
	✓	WO 01/04334	01/18/01	Introgene B.V.		
	✓	WO 01/90158 A1	11/29/01	Crucell Holland B.V.		
	✓	WO 02/24730	03/28/02	Crucell Holland B.V.		
	✓	WO 02/27006	04/04/02	Crucell Holland B.V.		

Examiner Signature	Scott D. Priebe	Date Considered	10/11/05

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Group Art Unit	~~1632~~ 1633
Examiner Name	D. Nguyen
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
SDP	✓	ABRAHAMSEN et al., "Construction of an Adenovirus Type 7a E1A⁻ Vector," JOURNAL OF VIROLOGY, NOV. 1997, P. 8946-8951 Vol. 71, No. 11.	
	✓	ALBIGES-RIZO et al., "Human Adenovirus Serotype 3 Fiber Protein," Journal of Biological Chemistry, 266(6), 3961-3967 (1991).	
	✓	ANDERSON, Nature, "Human gene therapy," Apr. 1998, Vol. 392, pp. 25-30.	
	✓	ATHAPPILLY et al., "The Refined Crystal Structure of Hexon, the Major Coat Protein of Adenovirus Type 2, at 2•9 A Resolution," J. Mol. Biol. (1994) 242, 430-455.	
	✓	BAI et al., "Mutations That Alter an Arg-Gly-Asp (RGD) Sequence in the Adenovirus Type 2 Penton Base Protein Abolish Its Cell-Rounding Activity and Delay Virus Reproduction in Flat Cells," Journal of Virology, 67(9), 5198-5205 (1993).	
	✓	BAILEY et al., "Phylogenetic Relationships among Adenovirus Serotypes," Virology, 205, 439-452 (1994).	
SDP	✓	BALL-GOODRICH et al., "Parvoviral Target Cell Specificity: Acquisition of Fibrotropism by a Mutant of the Lymphotropic Strain of Minute Virus of Mice Involves Multiple Amino Acid Substitutions within the Capsid," Virology, 184, 175-186 (1991), Abstract only.	
		~~BASLER et al., Sequence of the immunoregulatory early region 3 and flanking sequences of adenovirus type 35, 1996, Gene 170:249-254.~~	no copy
SDP	✓	BASLER et al., "Subgroup B Adenovirus Type 35 Early Region 3 mRNAs Differ from Those of the Subgroup C Adenoviruses," VIROLOGY 215, 165-177 (1996).	
	✓	BATRA et al., "Receptor-mediated gene delivery employing lectin-binding specificity," Gene Therapy, 1, 255-260 (1994).	
	✓	BERENDSEN, Herman J.C., A Glimpse of the Holy Grail, Science, 1998, Vol. 282, pp. 642-43.	
	✓	BOURSNELL et al., "In vitro construction of a recombinant adenovirus Ad2:Ad5," Gene, 13, 311-317 (1981).	
	✓	BRIDGE et al., "Adenovirus Early Region 4 and Viral DNA Synthesis," Virology 193, 794-801 (1993).	

Examiner Signature	Scott D. Priebe	Date Considered	10/11/05

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
SDP	✓	~~BRODY et al., "Adenovirus-Mediated in Vivo Gene Transfer," Annals New York Academy of Sciences pp.90-100.~~	
	✓	CAILLET-BOUDIN et al., "Functional and Structural Effects of an Ala to Val Mutation in the Adenovirus Serotype 2 Fibre," J. Mol. Biol., 217, 477-486 (1991).	
	✓	CHIU et al., Folding & Design, "Optimizing energy potentials for success in protein tertiary structure prediction," May 1998, 3:223-228.	
	✓	CHROBOCZEK et al., Adenovirus Fiber, Current Topics in Microbiology and Immunology 1995;199 (Pt 1) pp. 163-200.	
	✓	CHU et al., "Cell targeting with retroviral vector particles containing antibody-envelope fusion proteins," Gene Therapy, 1, 292-299 (1994), Abstract only	
	✓	COTTEN et al., "Transferrin-polycation-mediated introduction of DNA into human leukemic cells: Stimulation by agents that affect the survival of transfected DNA or modulate transferrin receptor levels," Proc. Natl. Acad. Sci. USA, 87, 4033-4037 (1990).	
	✓	COTTEN et al., "High-efficiency receptor-mediated delivery of small and large (48 kilobase gene constructs using the endosome-disruption activity of defective or chemically inactivated adenovirus particles," Proc. Natl. Acad. Sci. USA, 89, 6094-6098 (1992).	
	✓	CRAWFORD-MIKSZA et al., "Adenovirus Serotype Evolution Is Driven by Illegitimate Recombination in the Hypervariable Regions of the Hexon Protein," Virology, 224, 357-367 (1996).	
	✓	CRAWFORD-MIKSZA et al., "Analysis of 15 Adenovirus Hexon Proteins Reveals the Location and Structure of Seven Hypervariable Regions Containing Serotype-Specific Residues," Journal of Virology, Mar. 1996, p. 1836-1844.	
	✓	CROMPTON et al., "Expression of a foreign epitope on the surface of the adenovirus hexon," J. Gen. Virol., 75(1), 133-139 (1994).	
✓	✓	CRYSTAL, Ronald G., "Transfer of Genes to Humans: Early Lessons and Obstacles to Success," Science, 270, 404-410 (1995).	

Examiner Signature	Scott D. Priebe	Date Considered	10/11/05

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Sheet 8 of 14

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Filing Date	October 23, 2001
First Named Inventor	Fallaux et al.
Group Art Unit	~~1632~~ 1633
Examiner Name	D. Nguyen
Attorney Docket Number	2578-3833.6US

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 2

Complete if Known	
Application Number	10/038,271
Filing Date	October 23, 2001
First Named Inventor	Fallaux et al.
Group Art Unit	~~1632~~ 1633
Examiner Name	D. Nguyen
Attorney Docket Number	2578-3833.6US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
SDP		ACSADI et al., Adenovirus-mediated gene transfer into striated muscles, J Mol Med, 1995, pp. 165-80, Vol. 73.	
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		Notice of Opposition to a European Patent by Serono International S.A. filed against Patent No. 0 833 934 (July 5, 2005).	
✓		Opposition lodged by Cevec Pharmaceuticals GmbH against European Patent 0 833 934 (July 5, 2005).	

Examiner Signature	Scott D. Priebe	Date Considered	10/11/05

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Sheet 2 of 2

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Filing Date	October 23, 2001
First Named Inventor	Fallaux et al.
Group Art Unit	~~1632~~ 1633
Examiner Name	D. Nguyen
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SDP		PESHWA et al., Cultivation of Mammalian Cells as Aggregates in Bioreactors: Effect of Calcium Concentration on Spatial Distribution of Viability, 1993, pp. 179-87, Vol. 41, Biotech. Bioeng.	
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V		WOODWORTH et al., Transformation of Differentiated Rat Hepatocytes with Adenovirus and Adenovirus DNA, Journal of Virology, Nov. 1987, pp. 3570-79, Vol. 61, No. 11.	

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